

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

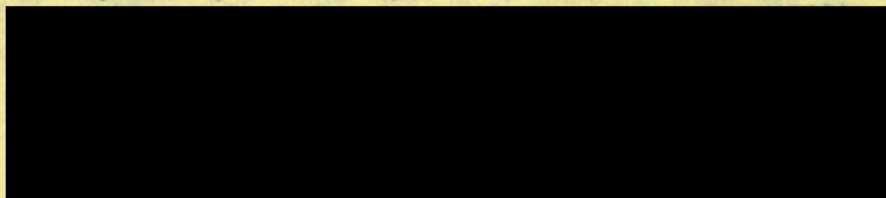
17 PERM 3-1

June 11, 1981

Mr. Thomas E. Siedhoff
Assistant Manager
Environmental Services
Union Electric Company
P. O. Box 149
St. Louis, Missouri 63166

Re: Ashley Plant, St. Louis, Mo.

MOD000805499



Redacted to
remove non-
responsive
information.

Dear Mr. Siedhoff:

We recently received your letter requesting that the above referenced facilities be deleted as hazardous waste generation/management facilities because of a recent interpretation of the utility waste exemption under Section 261.4(b)(4). We are prepared to act upon your request as soon as we receive the appropriate regulatory interpretation memorandum from the Environmental Protection Agency (EPA) Headquarters. Until then, however, we are obligated to confirm with you that your waste management practices are appropriate such that your facilities qualify for the exemption.

Careful examination of the interpretation of 261.4(b)(4) provided in Gary N. Dietrich's (EPA) letter of January 13, 1981, to Mr. Paul Emler, Jr., of the Utility Solid Waste Activity Group states that "Wastes produced in conjunction with the combustion of fossil fuels, which are necessarily associated with the production of energy, and which traditionally have been, and which actually are, mixed with and co-disposed or co-treated with fly ash, bottom ash, boiler slag, or flue gas emission control wastes from coal combustion," are exempt from regulation under the Resource Conservation and Recovery Act (RCRA). This specific reference is emphasized because it requires associated hazardous wastes such as boiler cleaning solutions, demineralizer regenerant, etc., be mixed with fly ash, bottom ash, boiler slag or flue gas emission control wastes from coal combustion for co-disposal or co-treatment. It does not exempt associated hazardous wastes disposed or treated separately.

ARHM/HAZM-TSS:JFoil:lmh:x6531:6-11-81

CONCURRENCES					
SYMBOL	TSS	TSS	HAZM		
SURNAME	Foil	Brooke	Nompa		
DATE	6/12/81	6/15/81	6/15/81		

EPA Form 1320-1 (12-70)

for 6/12

R00136589
RCRA RECORDS CENTER

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We bring this to your attention because we want you to confirm, in writing, that you co-dispose or co-treat the associated hazardous waste mixed with fly ash, bottom ash, etc., from coal combustion for each of your facilities. This confirmation is necessary as we want to avoid any misunderstanding and certainly do not want to remove your facilities from the system as regulated, interim status facilities if they indeed are regulated and would need interim status to continue to operate.

Thank you for your cooperation in this matter. Should you have any questions, please contact me at 816/374-6864.

Sincerely yours,

James L. Foil, P.E.
Permits Work Unit Leader
Technical Support Section
Hazardous Materials Branch
Air and Hazardous Materials Division

cc: Dr. Pat Phillips
Missouri Department of Natural Resources

bcc: Craig Smith, ENFC